

**To:** Vaughn, Stephanie[Vaughn.Stephanie@epa.gov]  
**Cc:** Willard Potter[otto@demaximis.com]; Flanagan, Sarah[Flanagan.Sarah@epa.gov]; Nace, Charles[Nace.Charles@epa.gov]; william.hyatt@klgates.com[william.hyatt@klgates.com]  
**From:** Robert Law  
**Sent:** Tue 7/28/2015 12:24:44 PM  
**Subject:** Re: Outstanding BERA items....

Thank you for the clarification.

Robert Law, PhD  
Sent from my iPhone

On Jul 28, 2015, at 08:16, Vaughn, Stephanie <Vaughn.Stephanie@epa.gov> wrote:

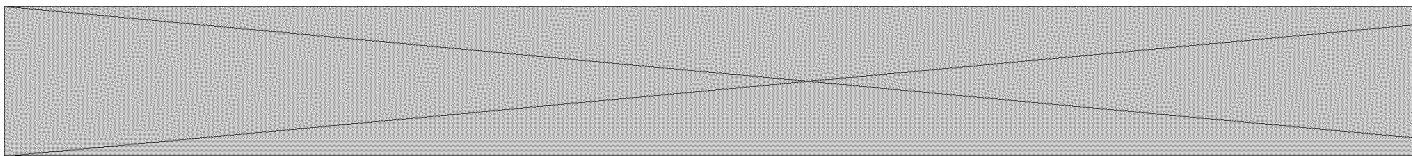
My apologies...the cover email is correct. Attached is the corrected methodology.

**From:** Robert Law [mailto:rlaw@demaximis.com]  
**Sent:** Monday, July 27, 2015 8:05 PM  
**To:** Nace, Charles; Vaughn, Stephanie  
**Cc:** Willard Potter; William Hyatt; Flanagan, Sarah  
**Subject:** Re: Outstanding BERA items....

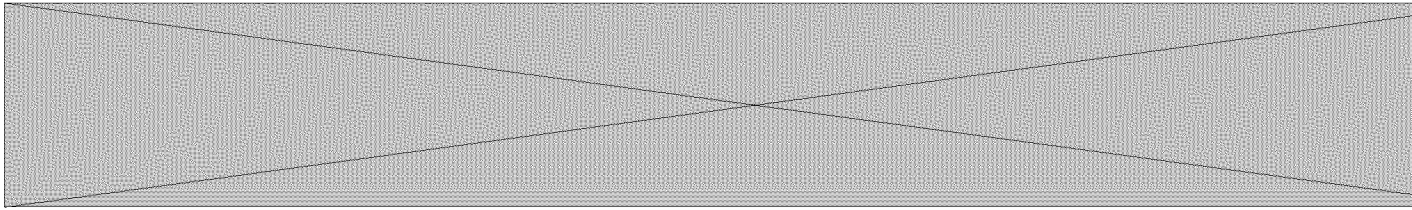
Stephanie:

Please clarify the conflicting statements regarding the use of the UOP Mullica River data.

1. Region 2's July 27 cover email states:



2. Region 2's July 27 attachment states:



Thank you.

R/

Rob

Robert Law, Ph.D.  
***de maximis, inc.***  
[rlaw@demaximis.com](mailto:rlaw@demaximis.com)  
Voice: 908-735-9315  
Fax: 908-735-2132

>>> "Vaughn, Stephanie" <[Vaughn.Stephanie@epa.gov](mailto:Vaughn.Stephanie@epa.gov)> 7/27/2015 4:55 PM >>>

Hi Rob,

Below are responses to the outstanding items related to the draft BERA. Please let me know if there is any other information/feedback you are looking for from us. We are available to discuss this with you from 3:30 to 5 tomorrow, or Wednesday afternoon.

(1) OC-normalized language (this was sent to you on 7/22):

Initial chemical screening should be performed using data that are not normalized for total organic carbon (TOC). Subsequent steps of the ERA process, Step 3 and Step 6, should use

carbon-normalized data for applicable chemicals (e.g., PAHs, dieldrin, endrin, nonionic organics) and associated TRVs/ESLs. Additionally, the risk characterization section should discuss the comparison of results based on both carbon-normalized and non-normalized effects data and/or values.

(2) Mullica Freshwater data

Upon further review of the Mullica data, it was determined that there is not a dataset associated with the freshwater portion of the Mullica River. Therefore, EPA withdraws the comment to include a comparison to the freshwater portion of the Mullica River.

(3) Censoring of Above Dundee Dam data

Based upon our review of the data collected above Dundee Dam, and applying the freshwater criteria provided previously, we have found there are six stations (UPRT18H, URPT18J, URPT18K, UPRT20C, UPRT20D, UPRT21F) that meet the survival criteria for chironomids and the PECq criteria of 0.5. EPA supports using the six stations identified above for use as the freshwater reference above the Dundee Dam for all of the SQT parameters.

(4) Reference and SQT Methodology Approach

The criterion associated with conducting an outlier test for both the estuarine and freshwater reference data sets is being withdrawn based on concerns raised by the CPG during our previous discussions of the SQT evaluation. Other modifications were also made to the SQT approach. Please see the attached final revised Reference and SQT Methodology approach.

Thanks,  
Stephanie

<Reference and SQT Methodology\_Revised 072715.pdf>